

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**TENTATIVE ORDER NO. R9-2002-0002
NPDES PERMIT NO. CA0109363**

WASTE DISCHARGE REQUIREMENTS

FOR

U.S. NAVY

NAVAL BASE POINT LOMA

SAN DIEGO COUNTY

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Monitoring and Reporting Program No. R9-2002-0002

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The California Regional Water Quality Control Board, San Diego Region, (hereinafter Regional Board), finds that:

1. As identified in Finding 2 below, the U.S. Navy discharges waste containing pollutants that could affect the quality of waters of the state to San Diego Bay from industrial and storm sewer outfalls at a complex of 8 separate Naval installations referred to as *Naval Base Point Loma Complex (NBPL)* located in the northern part of San Diego Bay along the eastern and western shore of the Point Loma Peninsula from Ballast Point to Taylor Street as shown on the maps included in Attachment A. Most of the NBPL installations are within the *Point Loma Hydrologic Subarea* of the *Pueblo San Diego Hydrologic Unit* (908.10), however, one is in the *Lindberg Hydrologic Sub Area* of the *Pueblo San Diego Hydrologic Unit* (908.21), and another is within the *Mission San Diego Hydrologic Sub Area* of the *San Diego Hydrologic Unit* (907.11). The locations of discharges from NBPL are listed below:

- *Naval Submarine Base, San Diego (SUBASE)*: The discharges from SUBASE are listed in Attachment B, Table 1. *Discharge Coordinates for SUBASE.*
- *Magnetic Silencing Facility (MSF)*: The discharges from the MSF are listed in Attachment B, Table 2. *Discharge Coordinates for MSF.*
- *Fleet Anti-Submarine Warfare Training Center, Pacific (FASW)*: Manhole dewatering, landscape runoff, potable water, and fire system discharges may occur, which did not have latitude and longitude coordinates included in the report of waste discharge (RWD).
- *Navy Public Works Center, Taylor Street Facility (PWC TSF)*: Manhole dewatering, landscape runoff, potable water, and fire system discharges may occur, which did not have latitude and longitude coordinates included in the RWD.
- *Space and Naval Warfare Systems Center, San Diego, Point Loma Campus (SSC San Diego PLC)*: The discharges from the SSC San Diego PLC are listed in Attachment B, Table 3. *Discharge Coordinates for SSC San Diego PLC.*
- *Space and Naval Warfare Systems Center, Old Town Campus (SSC San Diego, OTC)*: Industrial storm water discharges, occur at several locations and did not have latitude and

longitude coordinates included in the RWD. Manhole dewatering, landscape runoff, potable water, and fire system discharges may occur, which did not have latitude and longitude coordinates included in the RWD.

- *Fleet Combat Training Center, Pacific (FCTCPAC)*: Manhole dewatering, landscape runoff, potable water, and fire system discharges may occur, which did not have latitude and longitude coordinates included in the RWD.
 - *Fleet and Industrial Supply Center (FISC) Pt. Loma*: Industrial storm water discharges occur at several locations and did not have latitude and longitude coordinates included in the RWD. Manhole dewatering, landscape runoff, potable water, and fire system discharges may occur, which did not have latitude and longitude coordinates included in the RWD.
2. The *point source* discharges as identified in the RWD can be grouped into ten general industrial processes:
 - Utility Vault and Manhole Dewatering;
 - Steam Condensate;
 - Cooling Water;
 - ARCO Ballast Tanks;
 - MSF Pier Cleaning;
 - Dolphin Pools;
 - Unused San Diego Bay Water;
 - Abalone Tanks and Bioassay Trailer Discharges;
 - Pier Boom Cleaning; and
 - Miscellaneous Discharges (landscape watering runoff, potable water & fire system maintenance).
 3. Descriptions of the discharges are in the *Fact Sheet* for this Order.
 4. The State Water Resources Control Board, in the *Water Quality Control Policy for Enclosed Bays and Estuaries of California* (Bays and Estuaries Policy), promulgated principles for management of water quality, quality requirements for waste discharges, discharge prohibitions, and general provisions to prevent water quality degradation and to protect the beneficial uses of waters of enclosed bays and estuaries that are applicable to San Diego Bay.
 5. The State Water Resources Control Board promulgated statewide general waste discharge requirements for discharges associated with underground utility vaults and

- underground structures (Water Quality Order No. 2001-11-DWQ [NPDES Permit No. CAG990002]) and for discharges of storm water runoff associated with industrial activities (Water Quality Order No. 97-03-DWQ, [NPDES No. CAS000001])
6. The State Board Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California provides guidance for the development of effluent limits for priority toxic pollutants that will be consistent with water quality criteria for such pollutants promulgated by the U.S. EPA in 40 CFR 131.38 (the California Toxics Rule).
 7. The *Water Quality Control Plan, San Diego Basin (9)* (Basin Plan) designates beneficial uses and establishes narrative and numerical water quality objectives, and prohibitions, which are applicable to the discharges regulated under this Order.
 8. Pursuant to 40 CFR 131.12 and State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (collectively "antidegradation policies"), antidegradation analysis is not necessary since this Order protects existing instream water uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.
 9. Effluent limitations, and inland surface waters criteria, and enclosed bays and estuaries criteria established under Sections 301, 302, 303(d), 304, 306, and 402 of the CWA, as amended (33 U.S.C. 1251 et seq.), are applicable to the discharge.
 10. This Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to, the Beneficial Uses to be protected and the water quality objectives reasonably required for that purpose. The Basin Plan (p. 2-47, *Table 2-3. Beneficial Uses of Coastal Waters*) established the following beneficial uses for the waters of San Diego Bay:
 - a. Industrial Service Supply;
 - b. Navigation;
 - c. Contact Water Recreation;
 - d. Non-contact Water Recreation;
 - e. Commercial and Sport Fishing;
 - f. Preservation of Biological Habitats of Special Significance;
 - g. Estuarine Habitat;
 - h. Wildlife Habitat;

- i. Rare, Threatened, or Endangered Species;
 - j. Marine Habitat;
 - k. Migration of Aquatic Organisms; and
 - l. Shellfish Harvesting.
11. The issuance of waste discharge requirements for this discharge is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389. The waste discharge requirements in this Order regulate existing facilities; any significant environmental impact associated with existing discharges will be mitigated by compliance with the requirements in this Order.
 12. Sections 13263 and 13377 of the Porter-Cologne Water Quality Control Act require waste discharge requirements to implement and ensure compliance with applicable federal regulations implementing the Clean Water Act as well as state and regional water quality control plans and policies, including Bays and Estuaries Policy, Anti-Degradation Policy, Implementation Policy, Basin Plan, etc.
 13. Water quality objectives from the California Toxics Rule, the Basin Plan, and the Implementation Policy were considered when establishing the receiving water limits in this Order.
 14. In an enforcement action it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order.
 15. The discharger may have solid residues from wastewater treatment or discharge. The requirements in this Order do not regulate discharges of solid wastes from wastewater treatment or discharge. The discharger is required to file a RWD and obtain WDRs prior to any discharge of solid waste to land or to waters of the state.
 16. This Regional Board has considered all water resource related environmental factors associated with the discharge of wastes from the NBPL Complex to San Diego Bay.
 17. This Regional Board may modify or revoke requirements herein, and prohibit discharges regulated thereby, if on the basis of any new data, this Regional Board determines that continued discharges may cause unreasonable degradation of the marine environment, (this includes any evaluation of

monitoring data required by this Order pursuant to the Implementation Policy).

18. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property of another, nor protect the discharger from its liabilities under federal, state, or local laws, nor create a vested right for the discharger to continue its waste discharge.
19. This Regional Board has notified the discharger and all known interested parties of its intent to issue NPDES waste discharge requirements for the discharges of waste from the NBPL.
20. This Regional Board has, at a public meeting, heard and considered all comments pertaining to the discharge of wastes from the U.S. Navy NBPL Complex to San Diego Bay.

IT IS HEREBY ORDERED, that the *U.S. Navy* (hereinafter discharger), in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the Clean Water Act (CWA) and the regulations adopted thereunder, shall comply with the following requirements for discharges of wastes from NBPL Complex to San Diego Bay:

A. PROHIBITIONS

1. Discharges of the following wastes are prohibited:
 - paint chips;
 - blasting materials;
 - paint over spray;
 - paint spills;
 - water contaminated with abrasive blast materials, paint, oils, fuels, lubricants, solvents, or petroleum;
 - hydroblast water;
 - tank cleaning water from tank cleaning to remove sludge and/or dirt;
 - clarified water from oil and water separator;
 - steam cleaning water;
 - demineralizer and reverse osmosis brine;
 - water from the ARCO's holding tanks when the drydock is in use as a work area;

- oily bilge water; and
 - contaminated ballast water.
2. Compliance with the waste discharge prohibitions contained in the Basin Plan and listed in *Attachment C* hereto is required as a condition of this Order. [Basin Plan (BP)]
 3. Discharges of wastes that have not been described in the RWD and Fact Sheet for this Order, and discharges of waste in a manner or to a location that has not been specifically described in the RWD and Fact Sheet for this Order are prohibited unless explicitly and specifically regulated by applicable waste discharge requirements.
 4. Wastes shall not be discharged into or adjacent to areas where the protection of beneficial uses requires spatial separation from waste fields. (EBEP)

B. DISCHARGE SPECIFICATIONS

1. The discharger shall not cause pollution, contamination, or nuisance, as those terms are defined in CWC 13050, as a result of the treatment or discharge of wastes.
2. Whenever the analyses of an industrial storm water discharge from any industrial activity contains a copper concentration greater than 63.3 µg/L or a zinc concentration greater than 117 µg/L, the discharger shall perform the following task:
 - a) sample and analyze the next 2 storm water runoff events;
 - b) review and modify the SWPPP as necessary to reduce the concentrations of copper and zinc;
 - c) take aggressive measures as necessary to reduce the copper and zinc concentrations; and
 - d) document the review and modifications to the SWPPP.
3. When the industrial storm water discharge concentrations of copper from any industrial activity are found to be greater than 63 µg/L or greater than 117 µg/L for zinc, for more than 50% of the storm water discharge analysis over a two year period, the discharger shall develop a *systems engineering analysis report* and implement measures to reduce the concentration of copper and zinc in the industrial storm water discharges.
 - The *systems engineering analysis report* shall be completed within one year of determining that 50% of the copper or zinc concentrations are greater than that

specified above. The *systems engineering analysis report* shall be submitted to the Regional Board upon completion.

- The *systems engineering analysis report* shall contain similar, conceptual, or equivalent components as listed below:
 - **Unmet needs statement**—A general statement indicating that there is a desire for change, in this case, to prevent waste discharges to the Bay from the location and the industrial activity causing the significant copper and zinc concentrations.
 - **Feasibility study**—An in-depth investigation of the problem including desired and undesired inputs and outputs, design parameters, and constraints resulting in a detailed problem statement. Resulting in a *Set of Feasible Solutions*.
 - **Preliminary design**—Solutions designed in detail. Resulting in an *Optimal Design of Particular Concepts*.
 - **Comparative analysis**—Alternatives compared to projected performance. Possible design and implementation of models, pilot projects, or prototypes. Resulting in one or more solutions to choose for a full detailed design, *Optimal System Design*.
 - **Detailed Design**—A full set of blue prints, etc. is developed. Resulting in a *Complete Description* for implementation.
 - **Planning for production**—Plans are developed for the actual construction assembly, and marketing of the solution.
- 4. All waste treatment, containment and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.
- 5. All waste treatment, containment and disposal facilities shall be protected against erosion, overland runoff and other impacts resulting from a 100-year frequency 24-hour storm.
- 6. Collected screenings, sludges, and other solids removed from liquid wastes, shall be disposed of in compliance with appropriate local, regional, state, and federal regulations or statutes.

C. RECEIVING WATER LIMITATIONS

1. The discharge of wastes to waters of the State or San Diego Bay shall not by itself or jointly with any discharge(s) cause violation of the following water quality objectives.

- a. Physical Characteristics

- (1) Waters shall not contain oils, greases, waxes, or other materials in concentrations which result in a visible film or coating on the surface of the water or on objects in the water, or which cause nuisance or which otherwise adversely affect beneficial uses. [BP]
- (2) Waters shall not contain floating material, including solids, liquids, foams, and scum in concentrations which cause nuisance or adversely affect beneficial uses. [BP]
- (3) The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses. [BP]
- (4) Waters shall not contain suspended and settleable solids in concentrations of solids that cause nuisance or adversely affect beneficial uses. [BP]
- (5) Waters shall not contain taste or odor producing substances at concentrations, which cause a nuisance or adversely affect beneficial uses. [BP]
- (6) The transparency of bay waters, insofar as it may be influenced by any controllable factor, either directly or through induced conditions, shall not be less than 8 feet in more than 20 percent of the readings in any zone, as measured by a standard Secchi disk. Wherever the water is less than 10 feet deep, the Secchi disk reading shall not be less than 80 percent of the depth in more than 20 percent of the readings in any zone.

- b. Chemical Characteristics

- (1) Dissolved oxygen levels shall not be less than 5.0 mg/L. The annual mean dissolved oxygen

concentration shall not be less than 7 mg/L more than 10% of the time. [BP]

- (2) The pH shall not be changed at any time more than 0.2 units from that which occurs naturally. The pH shall not be depressed below 7.0 nor raised above 9.0. [BP]
- (3) The San Diego Bay waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growths cause nuisance or adversely affect beneficial uses. [BP]
- (4) The discharge of wastes shall not cause concentrations of un-ionized ammonia (NH_3) to exceed 0.025 mg/l (as N) in San Diego Bay. [BP]
- (5) No individual pesticide or combination of pesticides shall be present in the water column, sediments or biota at concentration(s) that adversely affect beneficial uses. Pesticides shall not be present at levels which will bioaccumulate in aquatic organisms to levels which are harmful to human health, wildlife or aquatic organisms. [BP]

c. Radioactivity

Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life. [BP]

d. Toxicity

All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassays of appropriate duration, or other appropriate methods will determine compliance with this objective. [BP]

D. PROVISIONS

1. Within 1 year of the adoption of this Order the discharger shall develop and submit a sediment monitoring program plan

to analyze the potential impacts to the sediments from the discharges of storm water or other waste discharges containing high levels of copper and zinc.

2. Discharges associated with utility vaults and underground structures, as described in State Board Order No. 2001-11-DWQ shall comply with all conditions, including monitoring requirements therein.
3. Discharges of storm water associated with industrial activities at NBPL shall comply with all conditions and monitoring requirements in State Board Order No. 97-03-DWQ.
4. The discharger shall implement the *Marine Pollution Control Devices* (MPCD) requirements for discharges from the ARCO floating drydock when they are developed pursuant to the *Uniform National Discharge Standards* (UNDS) for *Armed Forces Vessels*.
5. The discharger shall comply with the *Provisions* listed in *Attachment D*.
6. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncomplying discharge.
7. The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement.
8. The discharger shall allow this Regional Board, or an authorized representative, or any representative of the United States Environmental Protection Agency, upon the presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operation regulated or required under this Order; and
 - d. Sample or monitor, at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the Clean Water Act or California Water Code, any substances or parameters at any location.
- 9. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.
 - 10. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production of all discharges, or both, until the facility is restored or an alternative method of treatment is provided.
 - 11. A copy of this Order shall be posted at a prominent locations at each of the Installations at the *U.S. Naval Base Point Loma Complex*, and shall be available to operating personnel (Navy personnel or ships' force, civil service personnel, and civilian contractors) at all times.
 - 12. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

E. REPORTING REQUIREMENTS

- 1. Annually, the discharger shall evaluate the data collected pursuant to *Monitoring and Reporting Program No. R9-2002-0002* and determine if the data indicates that the discharge has caused, or contributed to, an exceedence of applicable

water quality objectives or impairment of water quality needed for designated beneficial uses in San Diego Bay.

2. The discharger shall file a new Report of Waste Discharge not less than 180 days prior to the following:
 - a. Addition of any industrial waste to the discharge or the addition of a new process or product resulting in a change in the character of the wastes.
 - b. Significant change in disposal method (e.g., change in the method of treatment which would significantly alter the nature of the waste).
 - c. Significant change in disposal area (e.g., moving the discharge to a disposal area significantly removed from the original area, potentially causing different water quality or nuisance problems).
 - d. Increase in flow beyond that specified in this Order.
 - e. Other circumstances, which result in a material change in character, amount, or location of the waste discharge.
 - f. Any planned physical alterations or additions to the permitted facility.
3. The discharger shall give advance notice to this Regional Board of any planned changes in the regulated facility or activity, which may result in noncompliance with the requirements of this Order.
4. The discharger must notify this Regional Board, in writing, at least 30 days in advance of any proposed transfer of this facility to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgment that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable after the transfer date.
5. The discharger shall report any noncompliance, which may endanger health or the environment orally to this Regional Board within 24 hours from the time the discharger becomes aware of the circumstances. The following occurrences must be reported to this Regional Board within 24 hours:

- a. Any upset which causes the effluent limitations of this Order to be exceeded.
- b. Any violation of any prohibition of this Order.

The discharger shall submit to the Regional Board a written follow-up report within ten days unless the Regional Board explicitly waives submission the written report on a case-by-case basis if the oral report has been received within 24 hours. The written report must contain the following items:

- a description of the noncompliance and its cause;
 - the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
6. The discharger shall notify this Regional Board as soon as it knows or has reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic or non-toxic pollutant which is not limited in this Order, if that discharge will exceed the highest of the following *notification levels*:
 - (1) One hundred micrograms per liter (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge submitted in application for this Order in accordance with 40 CFR 122.21(g)(7); or
 - (4) The level established by this Regional Board in accordance with 40 CFR 122.44(f).
 - b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic or non-toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"

- (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge submitted in application for this Order in accordance with 40 CFR 122.21(g)(7); or,
 - (4) The level established by this Regional Board in accordance with 40 CFR 122.44(f).
7. The discharger shall furnish to this Regional Board, within a reasonable time, any information which this Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order, or to determine compliance with this Order. The discharger shall also furnish to this Regional Board, upon request, copies of records required to be kept by this Order.
8. When the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge, or submitted incorrect information in a Report of Waste Discharge, or in any report to this Regional Board, it shall promptly notify the Regional Board of the failure and submit corrected facts or information.
10. All applications, reports, or information submitted to this Regional Board shall be signed and certified as follows.
 - a. All Reports of Waste Discharge shall be signed as follows by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
 - b. All reports required by this Order, and other information requested by this Regional Board shall be signed by a person described in paragraph a. of this reporting requirement, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph a. of this reporting requirement;

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and,
 - (3) The written authorization is submitted to this Regional Board.
- c. If an authorization under paragraph b. of this reporting requirement is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph b. of this reporting requirement must be submitted to this Regional Board prior to or together with any reports, information, or applications to be signed by an authorized representative.
 - d. Any person signing a document under paragraph a. or b. of this reporting requirement shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- 11. Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the offices of the California Regional Water Quality Control Board, San Diego Region and the United States Environmental Protection Agency, Region IX. As required by the Clean Water Act, Reports of Waste Discharge, this Order, and

effluent monitoring data shall not be considered confidential.

12. The discharger shall submit reports and provide notifications as required by this Order in accordance with the following:
 - a. Reports required to be submitted to this Regional Board shall be sent to:

Industrial Compliance Unit
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court
San Diego, California 92123-4340

Notifications required to be provided to this Regional Board shall be made to:

Telephone - (858) 467-2952 or
Facsimile - (858) 571-6972
 - b. Reports required to be submitted to the USEPA shall be sent to:

U.S. Environmental Protection Agency
Region IX
WTR-7 (DMR)
75 Hawthorne Street
San Francisco, California 94105

F. NOTIFICATIONS

1. CWC Section 13263(g) states:

No discharge of waste into the waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.
 2. The CWC provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act. [CWC Sections 13385, and 13387]
- Nothing in this Order shall be construed to protect the discharger from its liabilities under federal, state, or local laws.

Except as provided for in 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the discharger from civil or criminal penalties for noncompliance.

Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject to under Section 311 of the CWA.

Nothing in this Order shall be construed to preclude institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the CWA.

3. Any noncompliance with this Order constitutes violation of the California Water Code and is grounds for denial of an application for permit modification. (Also see 40 CFR 122.41(a))
4. This Order shall become effective 10 days after the date of its adoption, provided the USEPA Regional Administrator has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.
5. This Order expires on April 10, 2007.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on April 10, 2002.

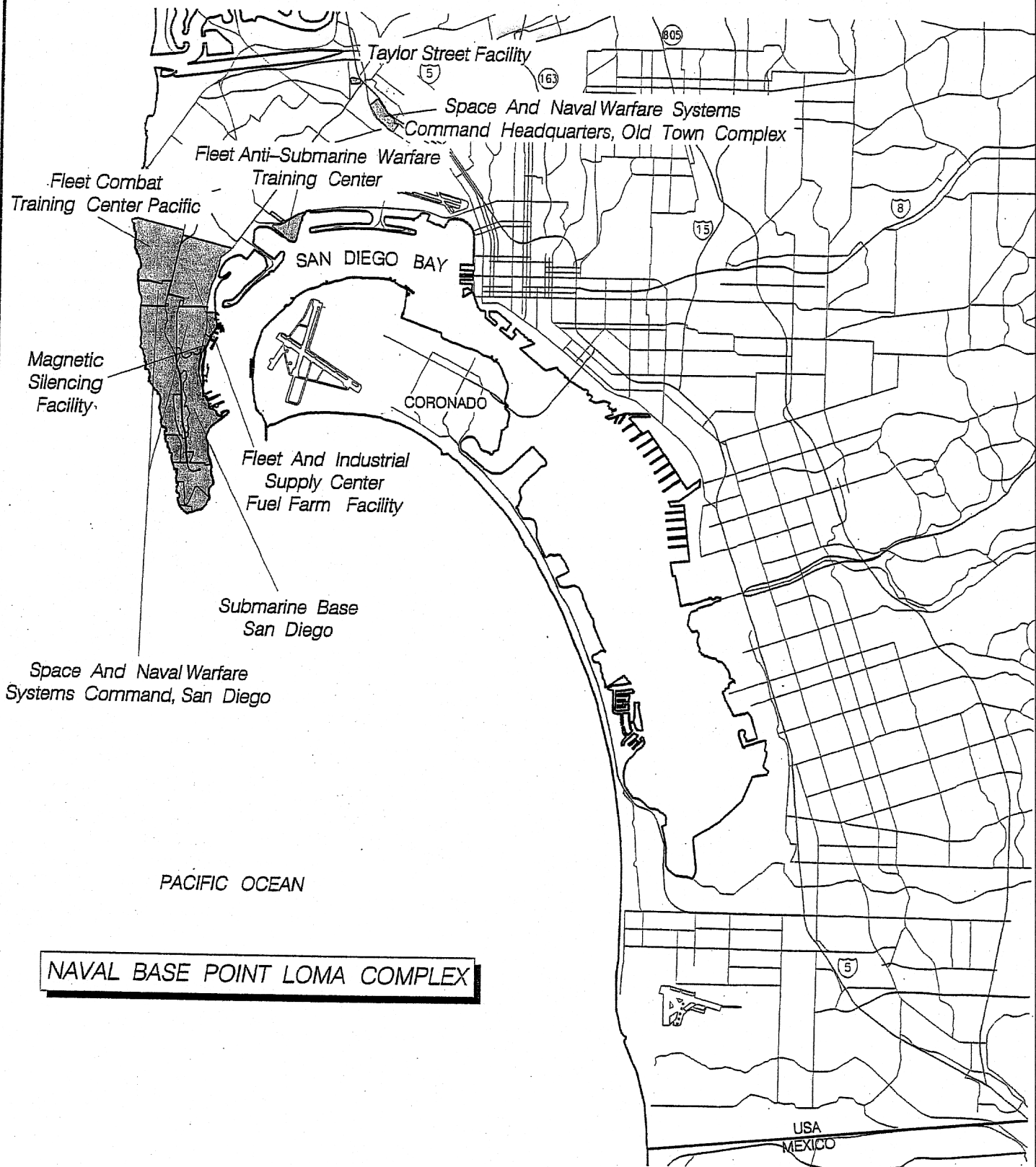
____tentative____
JOHN H. ROBERTUS
Executive Officer

Attachment A

Location Maps

Naval Base Point Loma Complex

NBPL



NAVAL BASE POINT LOMA COMPLEX

LOCATION MAP

NAVAL BASE POINT LOMA COMPLEX



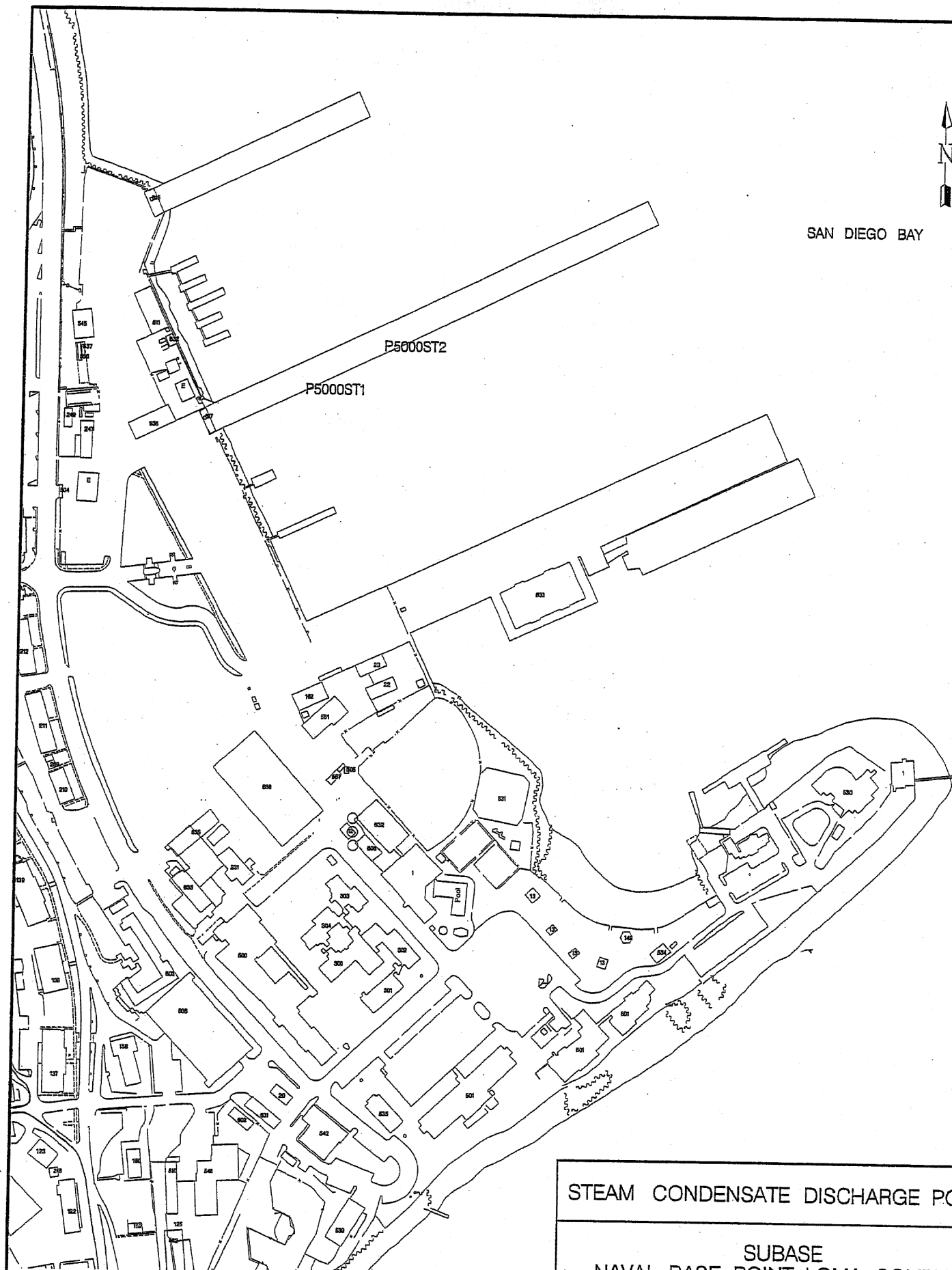
NAVY PUBLIC WORKS CENTER
CODE 940
2730 MCKEAN ST. SUITE 1
SAN DIEGO, CALIFORNIA 92136

Date: m-d-y
File No. 10r018a.dgn

NPDES



SAN DIEGO BAY



STEAM CONDENSATE DISCHARGE POINTS

SUBBASE NAVAL BASE POINT LOMA COMPLEX

0 100 300 600

SCALE: 1 inch = 300 feet

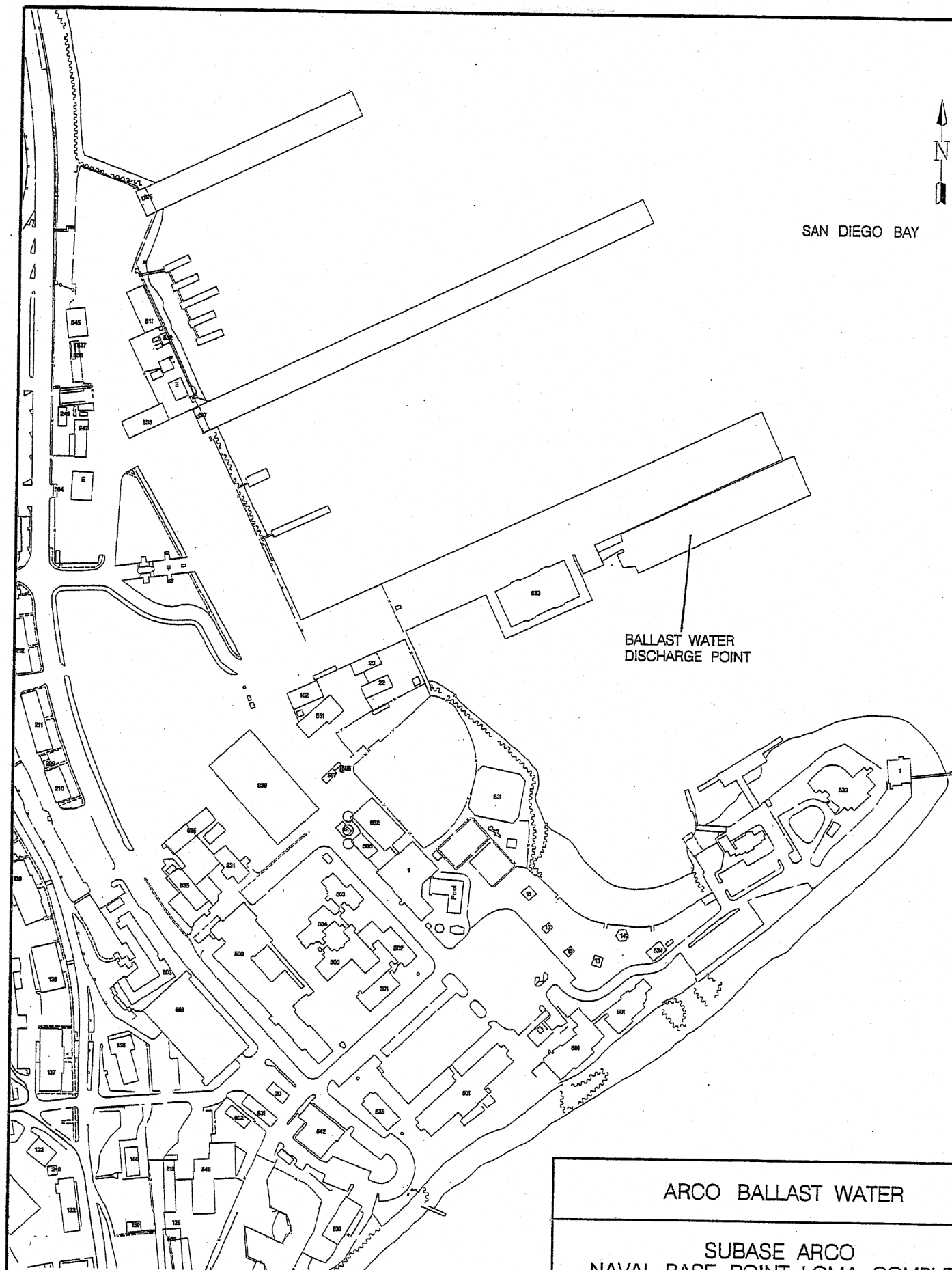


NAVY PUBLIC WORKS CENTER

CODE 940
2730 MCKEAN ST. SUITE 1
SAN DIEGO, CALIFORNIA 92136

Date: 04 JAN 102
File No. lbr024.dgn

NPDES



SAN DIEGO BAY

BALLAST WATER
DISCHARGE POINT

0 100 300 600

SCALE: 1 inch = 300 feet

ARCO BALLAST WATER

SUBBASE ARCO
NAVAL BASE POINT LOMA COMPLEX

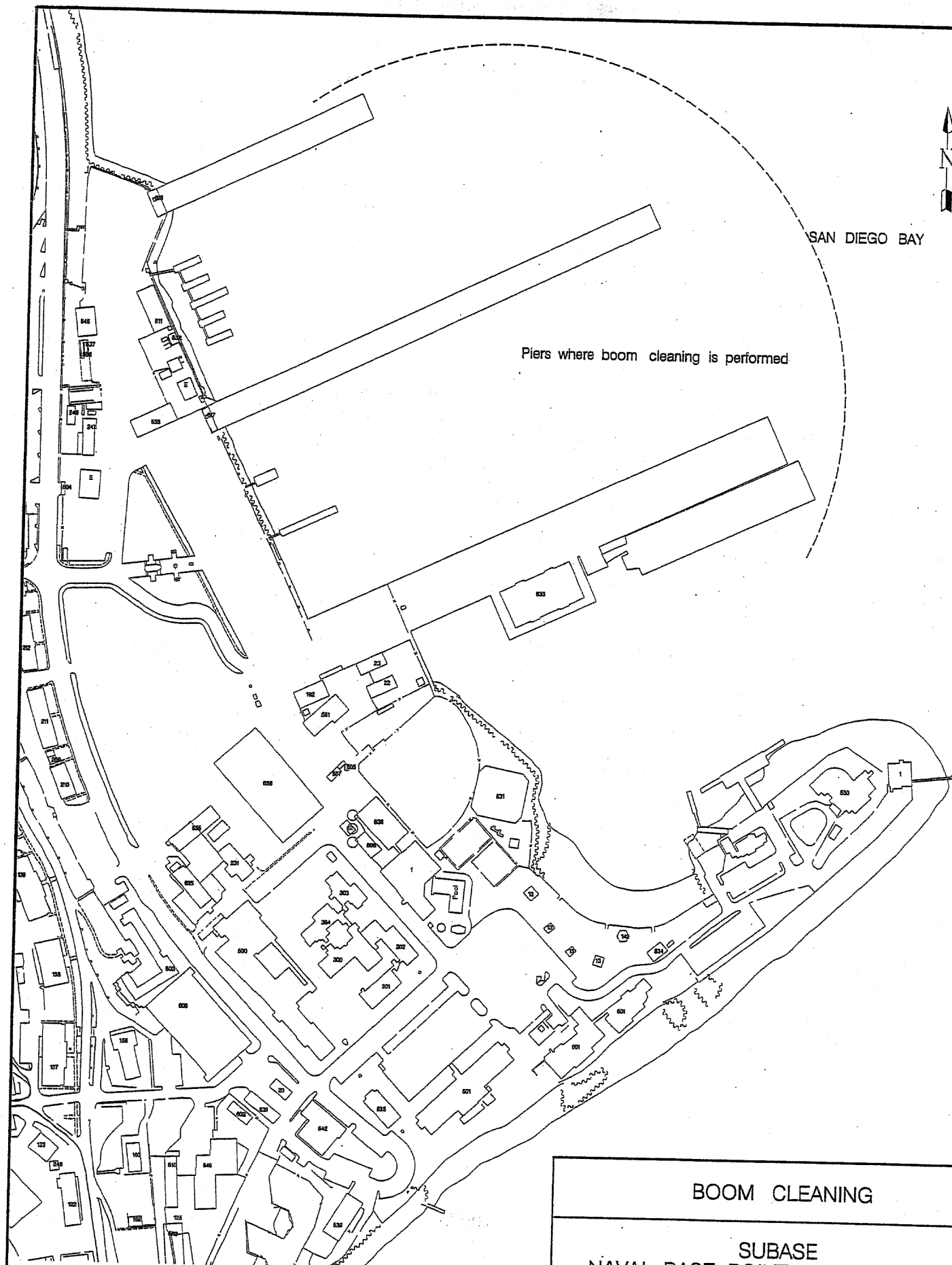


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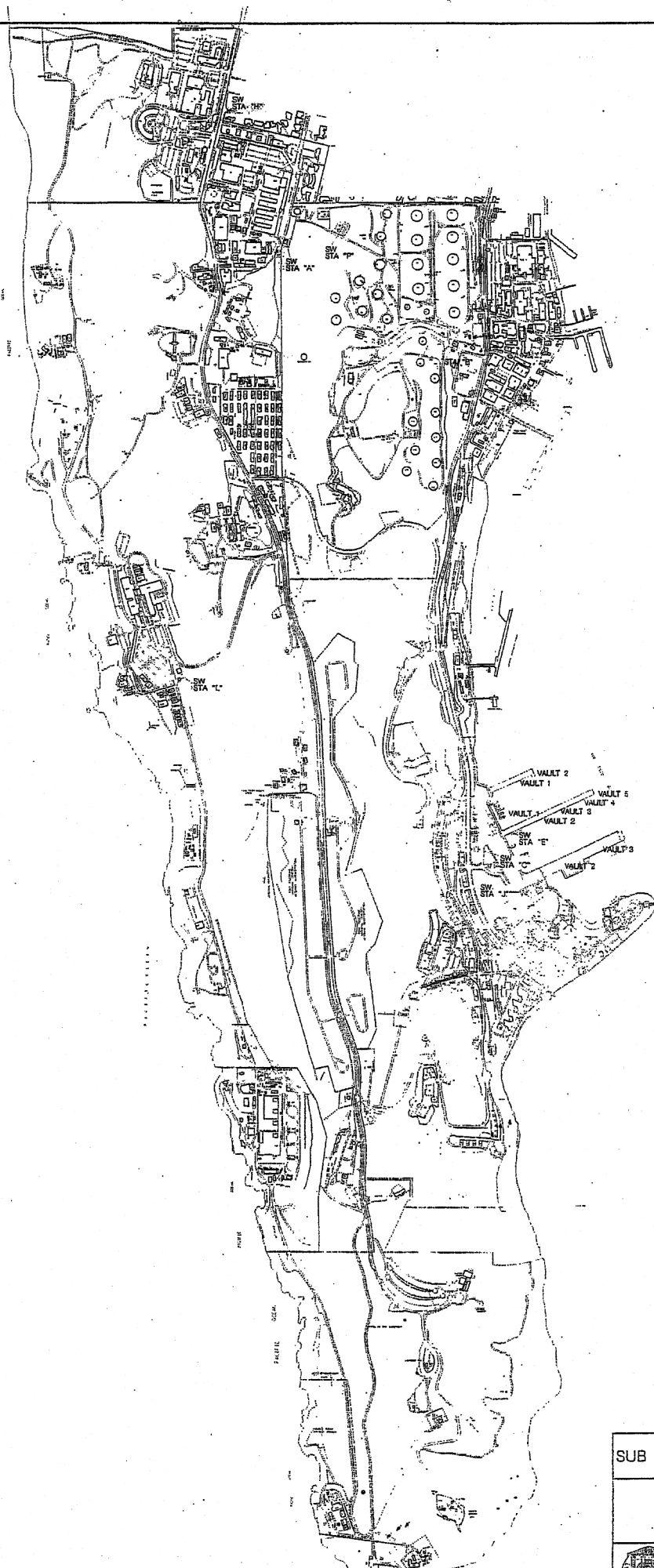
Date: 04 JAN 102
File No. lcr025.dgn

NPDES



0 100 300 600
 SCALE: 1 inch = 300 feet

BOOM CLEANING	
SUBBASE NAVAL BASE POINT LOMA COMPLEX	
 NAVY PUBLIC WORKS CENTER CODE 940 2730 MCKEAN ST. SUITE 1 SAN DIEGO, CALIFORNIA 92136	Date: 04 JAN 102 File No. ltr024bc.dgn
	NPDES



0 550 1100 2200
 SCALE: 1 inch = 1100 feet

SUB / SWITCH STATION DISCHARGE POINTS

SPAWAR & SUBBASE
 NAVAL BASE PT LOMA COMPLEX



NAVY PUBLIC WORKS CENTER
 DATE: 12/08/00
 FILE NO. 1200000000

11-6-97
 1200000000



NON-CONTACT COOLING WATER DISCHARGE POINT
BLDG 2

SAN DIEGO BAY

0 100 200 400

SCALE: 1 inch = 200 feet

NON-CONTACT COOLING WATER
BLDG 2

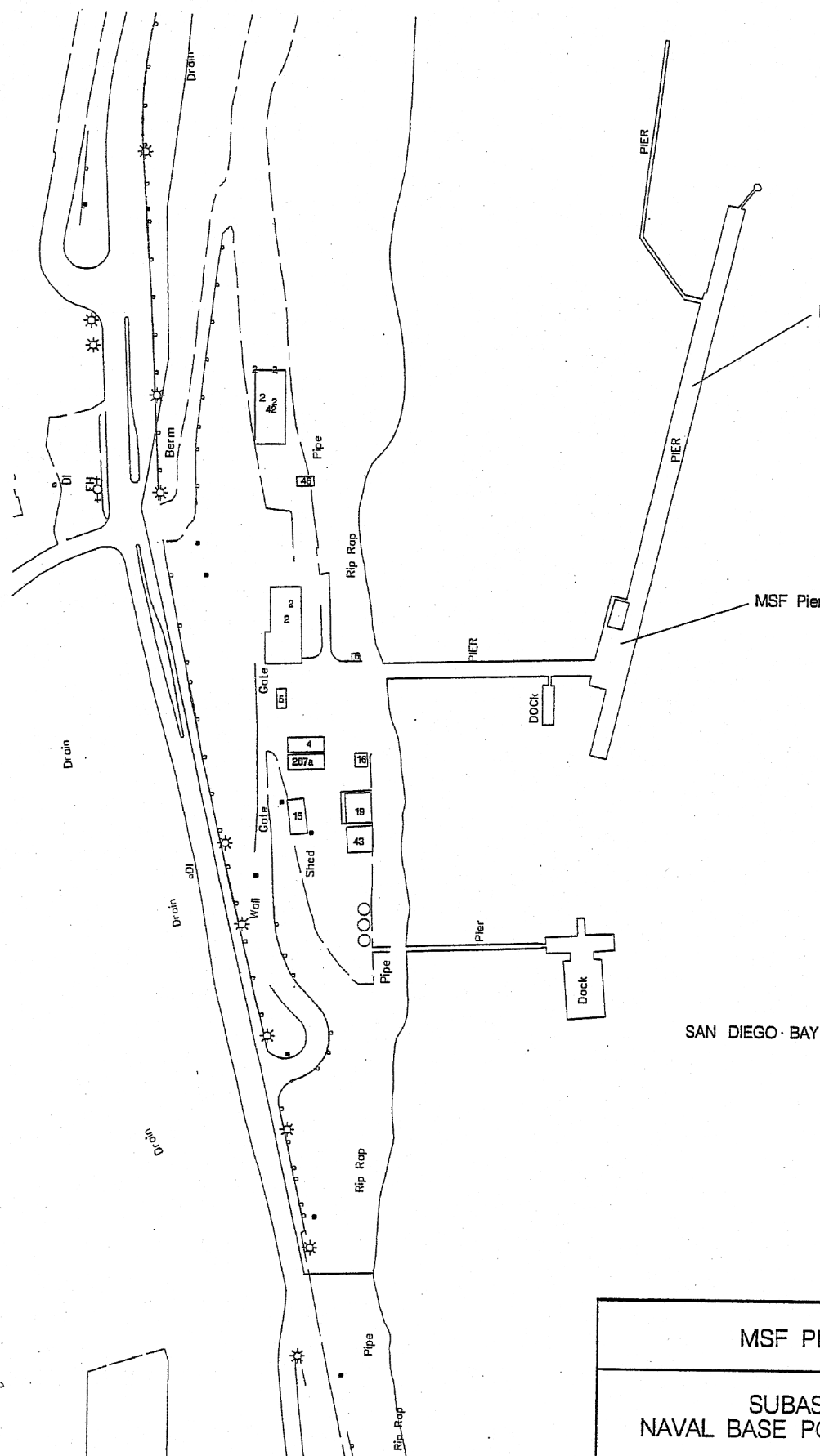
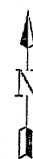
SUBASE
NAVAL BASE POINT LOMA



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Date: 04 JAN 102
File No.
pl_non-contactcooling.dgn

NPDES



SAN DIEGO BAY

0 100 200 400

SCALE: 1 inch = 200 feet

MSF PIER CLEANING

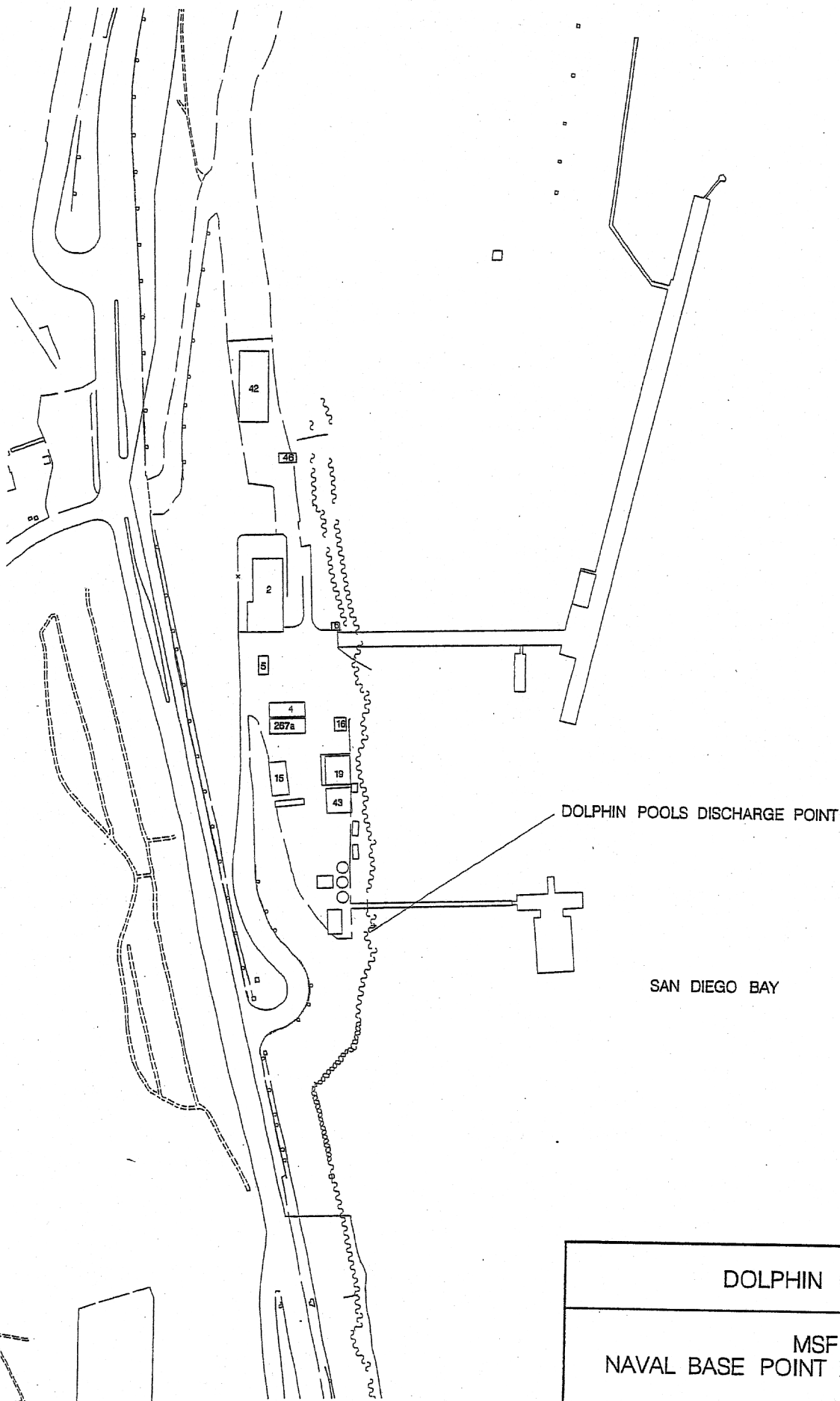
SUBASE MSF PIER
NAVAL BASE POINT LOMA COMPLEX



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Date: 04 JAN 102
File No. --\pl_msf_pier_cleaning.dgn

NPDES



DOLPHIN POOLS

MSF
NAVAL BASE POINT LOMA COMPLEX

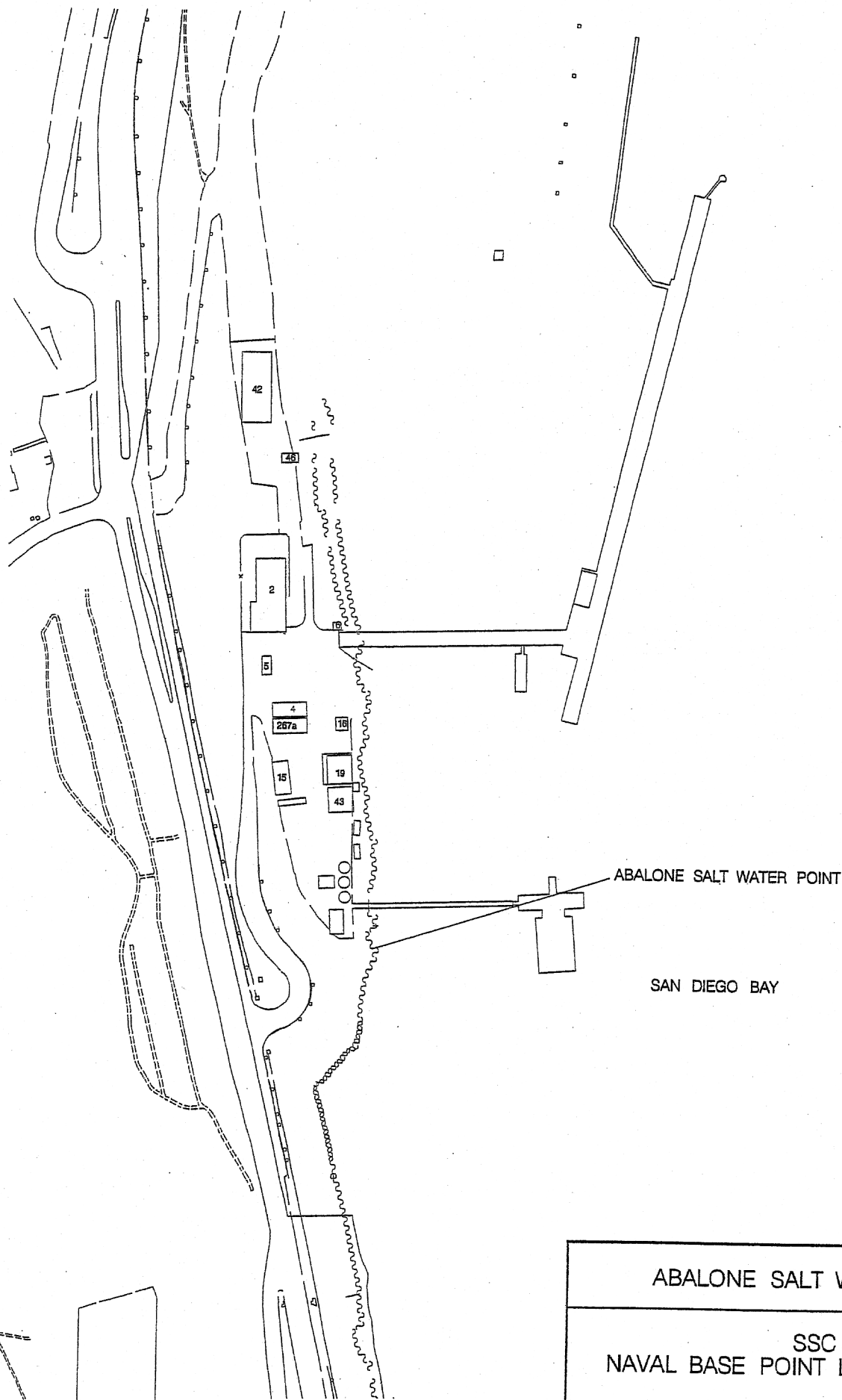
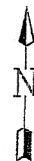


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Date: 04 JAN 102
File No. pl_dolphin_pools_sb.dgn

NPDES



ABALONE SALT WATER TANK

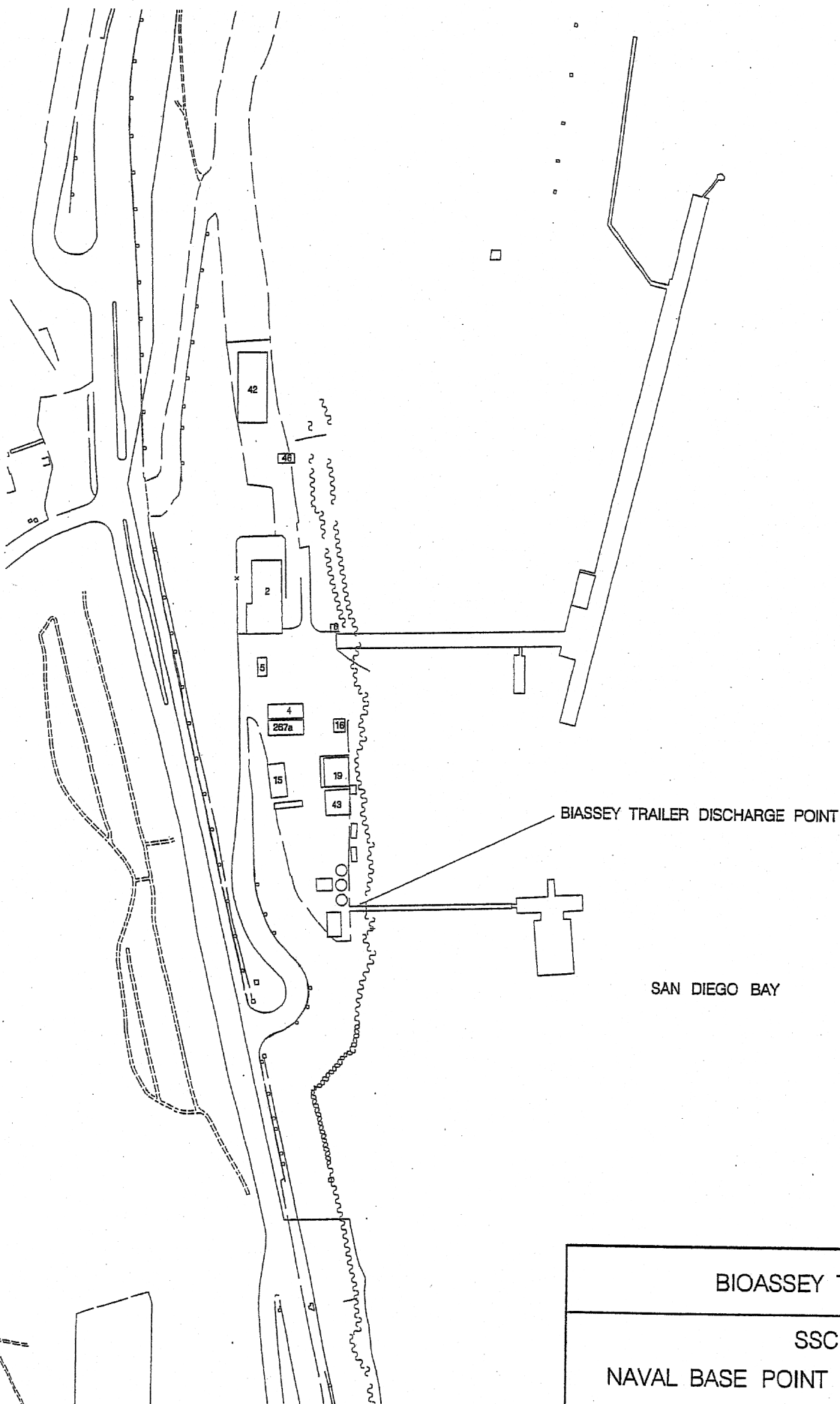
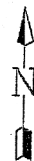
SSC
NAVAL BASE POINT LOMA COMPLEX



NAVY PUBLIC WORKS CENTER
CODE 940
2730 MCKEAN ST. SUITE 1
SAN DIEGO, CALIFORNIA 92136

Date: 04 JAN 102
File No.
pl_abalone_tank_ssc.dgn

NPDES



BIOASSEY TRAILER

SSC

NAVAL BASE POINT LOMA COMPLEX

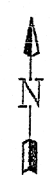
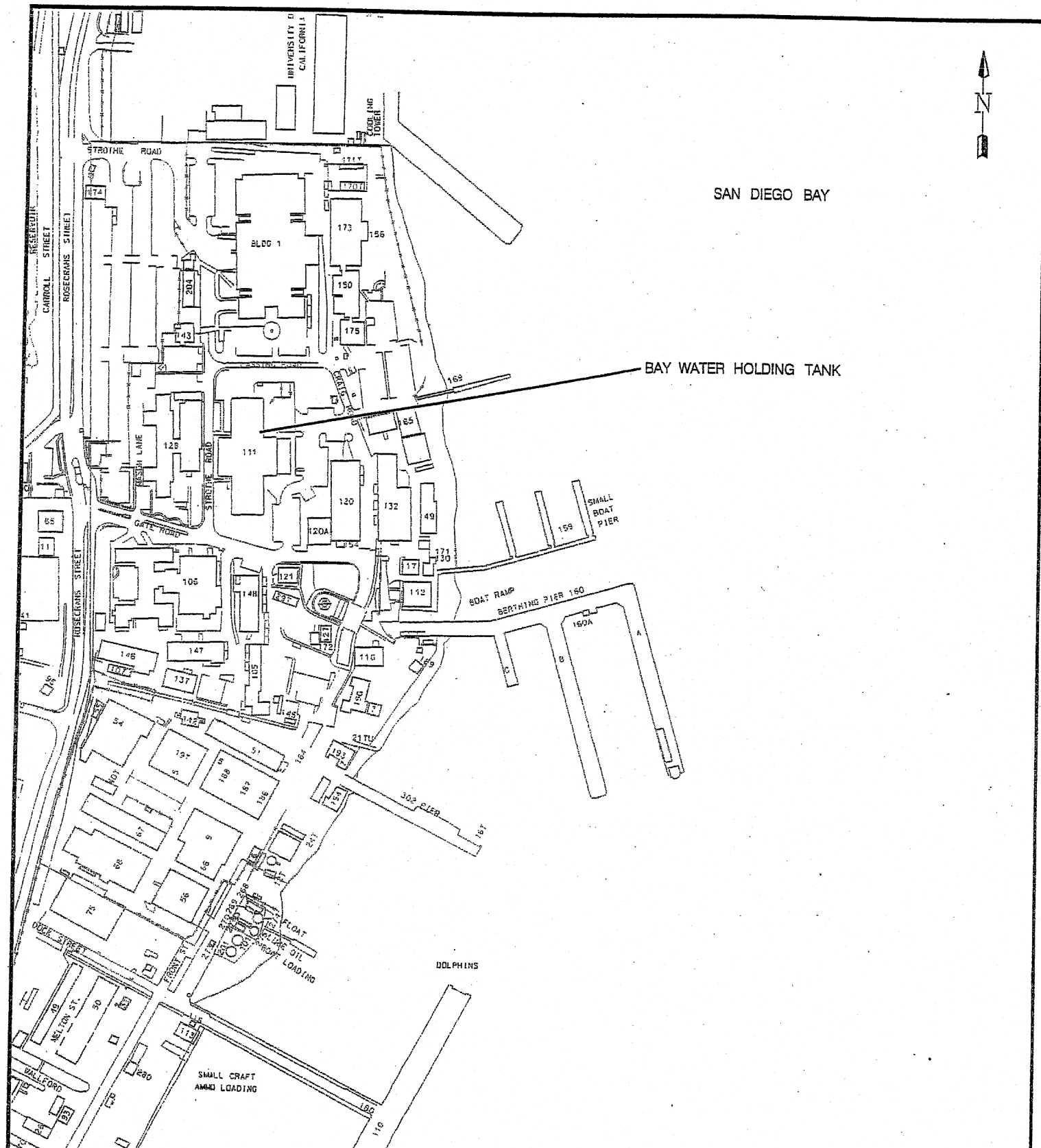



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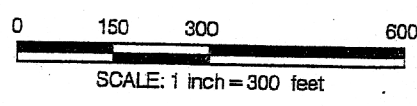
CODE 940
2730 MCKEAN ST. SUITE 1
SAN DIEGO, CALIFORNIA 92136

Date: 04 JAN 102
File No.
pl_bioassey_trailer_ssc.dgn

NPDES



UNUSED WATER HOLDING TANK BLDG 111	
SSC NAVAL BASE POINT LOMA COMPLEX	
	NAVY PUBLIC WORKS CENTER CODE 940 2730 MCKEAN ST. SUITE 1 SAN DIEGO, CALIFORNIA 92136
	Date: 05-FEB-2001 File No. unused_water_t111.dgn
	NPDES



Attachment B

Discharge Coordinates

Tentative Order No. R9-2002-0002

Table 1. Discharge coordinates for SUBASE.

Discharge	Latitude	Longitude
Steam Condensate Pier 5000, Steam 1	32°41'19" north	117°14'16" west
Steam Condensate Pier 5000, Steam 2	32°41'20" north	117°14'14" west
Industrial storm water discharges, middle pier location	32°41'20" north	117°14'14" west
ARCO ballast water	32°41'16" north	117°14'8" west
Boom cleaning water, middle pier location	32°41'20" north	117°14'14" west
Utility Vault, Pier 5000, Vault 1	32°41'20" north	117°14'15" west
Utility Vault, Pier 5000, Vault 2	32°41'20" north	117°14'14" west
Utility Vault, Pier 5000, Vault 3	32°41'21" north	117°14'12" west
Utility Vault, Pier 5000, Vault 4	32°41'22" north	117°14'10" west
Utility Vault, Pier 5000, Vault 5	32°41'23" north	117°14'8" west
Utility Vault, Pier 5002, Vault 2	32°41'17" north	117°14'7" west
Utility Vault, Pier 5002, Vault 3	32°41'17" north	117°14'6" west
Utility Vault, Pier 5003, Vault 1	32°41'25" north	117°14'16" west
Utility Vault, Pier 5003, Vault 2	32°41'25" north	117°14'15" west
Manhole dewatering, landscape runoff, potable water, and fire system may occur	several locations, coordinates not included in the RWD	several locations, coordinates not included in the RWD

Table 2. Discharge coordinates for MSF.

Discharge	Latitude	Longitude
Diesel engine cooling water	32°41'42" north	117°14'20" west
Industrial storm water	several locations, coordinates not included in the RWD	several locations, coordinates not included in the RWD
Pier cleaning water occurs at several locations along the pier	32°41'42" north	117°14'20" west
Dolphin pool	32°41'42" north	117°14'20" west
Abalone and bioassay	32°41'42" north	117°14'20" west
Manhole dewatering, landscape runoff, potable water, and fire system may occur	several locations, coordinates not included in the RWD	several locations, coordinates not included in the RWD

Table 3. Discharge coordinates for SSC San Diego PLC.

Discharge	Latitude	Longitude
Dolphin pool	32°41'34" north	117°14'22" west
Industrial storm water	several locations, coordinates not included in the RWD	several locations, coordinates not included in the RWD
Unused Bay water	32°42'18" north	117°14'16" west
Manhole dewatering, landscape runoff, potable water, and fire system may occur	several locations, coordinates not included in the RWD	several locations, coordinates not included in the RWD

ATTACHMENT C

ORDER NO. R9-2002-0002

BASIN PLAN WASTE DISCHARGE PROHIBITIONS

California Water Code Section 13243 provides that a Regional Board, in a water quality control plan, may specify certain conditions or areas where the discharge of waste, or certain types of waste is not permitted. The following discharge prohibitions are applicable to any person, as defined by Section 13050 of the California Water Code, who is a citizen, domiciliary, or political agency or entity of California whose activities in California could affect the quality of waters of the state within the boundaries of the San Diego Region.

1. The discharge of waste to waters of the state in a manner causing, or threatening to cause a condition of pollution, contamination, or nuisance as defined in California Water Code Section 13050, is prohibited.
2. The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code Section 13264 is prohibited.
3. The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredge or fill material permit (subject to the exemption described in California Water Code Section 13376) is prohibited.
4. The discharge of treated or untreated waste to lakes or reservoirs used for municipal water supply, or to inland surface water tributaries thereto, is prohibited.
5. The discharge of waste to inland surface waters, except in cases where the quality of the discharge complies with applicable receiving water quality objectives, is prohibited. Allowances for dilution may be made at the discretion of the Regional Board. Consideration would include streamflow data, the degree of treatment provided and safety measures to ensure reliability of facility performance. As an example, discharge of secondary effluent would probably be permitted if streamflow provided 100:1 dilution capability.
6. The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the enrollee is prohibited unless the discharge is authorized by the Regional Board.
7. The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner that may permit its being transported into the waters, is prohibited unless authorized by the Regional Board.
8. Any discharge to a storm water conveyance system that is not composed entirely of "storm water" is prohibited unless authorized by the Regional Board. [Federal Regulations 40 CFR 122.26 (b) defines storm water as storm water runoff, snow melt

runoff, and surface runoff and drainage.]

9. The unauthorized discharge of treated or untreated sewage to waters of the state or to a storm water conveyance system is prohibited.
10. The discharge of industrial wastes to conventional septic tank/subsurface disposal systems, except as authorized by the terms described in California Water Code Section 13264, is prohibited.
11. The discharge of radioactive wastes amenable to alternative methods of disposal into the waters of the state is prohibited.
12. The discharge of any radiological, chemical, or biological warfare agent into waters of the state is prohibited.
13. The discharge of waste into a natural or excavated site below historic water levels is prohibited unless the discharge is authorized by the Regional Board.
14. The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities that cause deleterious bottom deposits, turbidity or discoloration in waters of the state or that unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.
15. The discharge of treated or untreated sewage from vessels to Mission Bay, Oceanside Harbor, Dana Point Harbor, or other small boat harbors is prohibited.
16. The discharge of untreated sewage from vessels to San Diego Bay is prohibited.
17. The discharge of treated sewage from vessels to portions of San Diego Bay that are less than 30 feet deep at mean lower low water (MLLW) is prohibited.
18. The discharge of treated sewage from vessels that do not have a properly functioning US Coast Guard certified Type I or Type II marine sanitation device to portions of San Diego Bay that are greater than 30 feet deep at MLLW is prohibited.

ATTACHMENT D

ORDER NO. R9-2002-0002

STANDARD PROVISIONS

1. The following sections of 40 CFR are incorporated into this permit by reference:
 - a. 122.5 *Effect of a permit*
 - b. 122.21 *Application for a permit*
 - c. 122.22 *Signatories to permit applications and reports*
 - d. 122.41 *Conditions applicable to all permits*
 - e. 122.61 *Transfer of permits*
 - f. 122.62 *Modification or revocation of permits*
 - g. 122.63 *Minor modifications of permits*
 - h. 122.64 *Termination of permits*
2. *Review and revision of permit:* Upon application by any affected person, or on its own motion, the Regional Board may review and revise this permit. [CWC §13263(e)]
3. *Termination or modification of permit:* This permit may be terminated or modified for causes, including, but not limited to, all of the following:
 - (a) Violation of any condition contained in this permit.
 - (b) Obtaining this permit by misrepresentation, or failure to disclose fully all relevant facts.
 - (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. [CWC §13381]
4. *Material change:* Not less than 180 days prior to any material change in the character, location, volume, or amount of waste discharge, the discharger shall submit a technical report describing such changes. Such changes include but are not limited to the following:
 - (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
 - (b) Significant change in disposal method, e.g., change from land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
 - (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
 - (d) Increase in flow beyond that specified in the waste discharge requirements.
 - (e) Increase in area or depth to be used for solid waste disposal beyond that specified

- in the waste discharge requirements. [CWC 13372, 13376, 13264, 23 CCR 2210]
- (f) Any substantial change in the amount or characteristics of pollutants used, handled, stored, or generated.
 - (g) Any new discharge of pollutants or new potential pollutant source.
 - (h) Other circumstances which could result in a material change in the character, amount, or location of discharges. [CWC 13372, 13264, 23 CCR 2210]
5. *Transfers*: When this permit is transferred to a new owner or operator, such requirements as may be necessary under the California Water Code may be incorporated into this permit.
6. *Conditions not stayed*: The filing of a request by the Discharger for modification, revocation and reissuance, or termination of this Order, or a notification of planned change in or anticipated noncompliance with this Order does not stay any condition of this Order.
7. *Monitoring and Reporting Program*: The Discharger shall conduct monitoring and submit reports in accordance with *Monitoring and Reporting Program (MRP) No. R9-2002-0002*. Monitoring results shall be reported at the intervals specified in *MRP No. R9-2002-0002*. [CWC 13267 & 13383, 23 CCR 2230, 40 CFR 122.43(a), 122.44(l)(4), 122.48]
8. *Availability*: A copy of this Order shall be kept at a readily accessible location at the facility and shall be available to on-site personnel at all times.
9. *Duty to minimize or correct adverse impacts*: The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
10. *Responsibilities, liabilities, legal action, penalties*: The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act (CWA). [CWC §13385, 13387]

Nothing in this Order shall be construed to protect the discharger from its liabilities under federal, state, or local laws. Except as provided for in 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the discharger from civil or criminal penalties for noncompliance.

Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject to under Section 311 of the CWA.

Nothing in this Order shall be construed to preclude institution of any legal action or

relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authoring preserved by Section 510 of the CWA

11. *Noncompliance*: Any noncompliance with this permit constitutes violation of the California Water Code and is grounds for denial of an application for permit modification. [40 CFR 122.41 (a)]
12. *Discharge is a privilege*: No discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights. [CWC §13263(g)]
13. *Permittee*: For the purposes of this permit, the term "permittee" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "discharger" used elsewhere in this permit.
14. *Director*: For the purposes of this permit, the term "Director" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "Regional Board" used elsewhere in this permit, except that in 40 CFR 122.41(h) & (i), "Director" shall mean "Regional Board, SWRCB, and USEPA."
15. *Effective date*: This Order shall become effective ten days after the date of its adoption provided the USEPA Regional Administrator has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.
16. *Expiration*: This Order expires October 10, 2006. [40 CFR 122.43, 122.44(h), 122.46]
17. *Continuation of expired permit*: After this permit expires, the terms and conditions of this permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits are complied with. [40 CFR 122.6, 23 CCR 2235.4]
18. *Applications*: Any application submitted by the discharger for reissuance or modification of this permit shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Report of Waste Discharge specified in the California Water Code and the California Code of Regulations.
19. *Confidentiality*: Except as provided for in 40 CFR 122.7, no information or documents submitted in accordance with or in application for this permit will be considered confidential, and all such information and documents shall be available for review by the public at the office of the Regional Board.
20. *Severability*: The provisions of this order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the

application of such provision to other circumstances and the remainder of this order shall not be affected thereby.

21. *Discharge Monitoring Quality Assurance (DMQA) Program:* Then Discharger shall conduct appropriate analyses on any sample provided by EPA as part of the DMQA program. The results of such analyses shall be submitted to EPA's DMQA manager. [SWRCB/USEPA 106 MOA]
22. *Pollution, Contamination, Nuisance:* The handling, transport, treatment, or disposal of waste or the discharge of waste to waters of the state in a manner which causes or threatens to cause a condition of pollution, contamination, or nuisance, as those terms are defined in CWC 13050, is prohibited.
23. *Additional Reporting Requirements:* [40 CFR 122.42(a)] In addition to the reporting requirements under 40 CFR 122.41 (l), all existing manufacturing, commercial, mining, and silvicultural discharges must notify the Regional Board as soon as they know or have reason to believe:
 - (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, of that discharge will exceed the highest of the following "notification levels:"
 - (a) One hundred micrograms per liter (100 µg/l);
 - (b) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (c) The level established by the Regional Board in accordance with 40 CFR 122.44(f).
 - (2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
 - (a) Five hundred micrograms per liter (500 µg/l)
 - (b) One milligram per liter (1 mg/l) for antimony;
 - (c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - (d) The level established by the Regional Board in accordance with 40 CFR 122.44(f).
24. *Report Submittal:* The discharger shall submit reports and provide notifications as required by this Order in accordance with the following:

- a. Reports required to be submitted to this Regional Board shall be sent to:

Industrial Compliance Unit
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court
San Diego, California 92123-4340

Notifications required to be provided to this Regional Board shall be made to:

Telephone - (858) 467-2952 or
Facsimile - (858) 571-6972

- b. Reports required to be submitted to the USEPA shall be sent to:

U.S. Environmental Protection Agency
Region IX
WTR-7 (DMR)
75 Hawthorne Street
San Francisco, California 94105